



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

July 12, 2021

MEMO ENDORSED

7/13/21

**BY ECF**

The Honorable Colleen McMahon  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

CASE adj to Sept 14, 2021  
At 11:30am - time Excluded  
though Sept 14, in the interest  
of justice, for the reasons  
stated herein.

Re: United States v. Luigi Alexander Hierro-Belen, a/k/a "Menor" and Darwin Hierro-Clase,  
SI 21 Cr. 161 (CM)

Dear Judge McMahon:

Colleen McMahon

A status conference is scheduled in the above-captioned matter for July 14, 2021. The Government writes respectfully to request an adjournment of the conference. After conferring with the Court's chambers regarding the Court's availability, the Government respectfully requests that the conference be adjourned to September 14, 2021, at 11:30 a.m.

On May 24, 2021, defendant Darwin Hierro-Clase appeared before Magistrate Judge Barbara C. Moses and entered a plea of guilty pursuant to a plea agreement with the Government. The Government is awaiting receipt of that plea conference transcript to present to Your Honor with a request that the Court accept Mr. Hierro-Clase's guilty plea. With respect to the other defendant, Luigi Alexander Hierro-Belen, a/k/a "Menor," the Government and defense counsel have been engaged in productive discussions regarding possible pretrial resolution. Those negotiations have progressed and the parties hope to reach an agreement promptly.

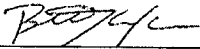
The adjournment is requested to permit parties additional time to obtain the materials necessary for the Court to accept defendant Hierro-Clase's guilty plea, and for the Government and defense counsel for defendant Hierro-Belen to continue discussions and for defense counsel to advise the defendant regarding possible pretrial disposition.

In the event that the Court grants the requested adjournment, the Government respectfully requests that the Court exclude time under the Speedy Trial Act, from July 14, 2021 until September 14, 2021 for the reasons stated above. The Government submits that the ends of justice served by the continuance outweigh the best interests of the public and the defendants in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

I have communicated with defense counsel, Mr. Sporn for defendant Hierro-Clase and Mr. Silveri for defendant Hierro-Belen, who both consent to the adjournment and exclusion of time.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By:   
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cc: Michael H. Sporn, Esq. (via ECF)  
Jon Silveri, Esq. (via ECF)